



# Student Complaints Procedure

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**This document sets out the standard procedure which will be followed in the consideration of your student complaint. However, the Student Complaints Officer or nominee has the right to vary this procedure in some cases, where it is considered appropriate and/or necessary to do so.**

**For example, where a complaint is urgent and / or complex, or about a number of different issues, it may be necessary to move the complaint straight to Stage 2 of the procedure for a full investigation.**

## Stage 1 – Early Resolution

If you have experienced an issue during your time at Brunel about which you would like to complain, you should first engage with Stage 1.

### How to submit a Stage 1 Complaint

To **submit your complaint for Early Resolution at Stage 1** you should send an email to the Student Hub team at [studenthub@brunel.ac.uk](mailto:studenthub@brunel.ac.uk)

You should summarise the incident about which you are complaining, including the date or period of time when the incident occurred, how you have been affected and what action you would like the University to take in response.

**You do not have to submit evidence to support your complaint at Stage 1**, as the purpose of this stage is to reach an informal resolution, but you are welcome to do so should you wish to. However, **if you are requesting a remedy which includes a claim for actual financial loss, this will need to be evidenced**. The Student Hub team may exceptionally request any evidence you may have at Stage 1 as required to fully consider your complaint.

### **Timeframe for submitting a Stage 1 complaint**

Please submit your Stage 1 complaint **within 3 months of the incident** about which you are complaining. It should normally take no longer than **14 calendar days** from the date you submit your Stage 1 complaint for it to be resolved.

### **Purpose of Early Resolution**

Stage 1 is designed to give you the **opportunity to air your concerns** and for the Student Hub team to **address and try to resolve your complaint locally and as swiftly as possible**.

During the Early Resolution stage, the **following considerations may be explored**:

- What specifically is the concern you are complaining about and which area(s) of the University is/are involved?
- What outcome you are hoping for, and can it be achieved?
- Is your concern straightforward and likely to be resolved with little or no investigation?
- Can your concern be resolved on the spot by providing, where appropriate, an explanation, an alternative solution or an apology?
- Would it be helpful to use mediation, and are you willing to engage with this service?
- What assistance or support can be provided to you in taking your complaint forward, including whether any reasonable adjustments need to be made to help you engage with the process?

**The main purpose of Early Resolution** is, therefore, to try to resolve your concern before it becomes a formal complaint. This may be by:

- giving you more information or a more detailed explanation about what has happened.
- suggesting solutions.
- being empathetic and understanding to you when there is no apparent solution and signposting you to sources of support.
- giving an apology where it seems appropriate to do so.

### **Stage 1 Consideration**

Once you have submitted your Stage 1 Complaint, an adviser from the Student Hub team will review your concerns and provide a Stage 1 response to your complaint via email.

The Student Hub team adviser **may** arrange an informal meeting with you to discuss your complaint in further detail, should they require further information from you and where necessary and/or appropriate to do so.

If an informal Stage 1 meeting is arranged, you may be accompanied at this meeting by another student, a member of staff from the [Union Advice Service](#) or (in the case of reasonable adjustments being made for a disabled student) an appropriate individual, such as a social worker or mental health nurse. Neither the University nor the student shall normally be represented by a legal practitioner during the complaints process. **Please see the**

[Guidance Note to the Student Complaints Procedure](#) for more information about representation.

Following the meeting, you will be sent a Stage 1 outcome via email, which will include a summary of your meeting discussion and details of any action to be taken.

## **Stage 2 – Formal Investigation**

If you are not satisfied with the outcome provided to you at Stage 1, you may submit a complaint for formal investigation at Stage 2 of the Student Complaints Procedure.

### **How to submit a Stage 2 Complaint**

If you choose to submit a Stage 2 Complaint, you should **complete the online [Stage 2 Complaint Form](#)** and upload your Stage 1 outcome with all the evidence you want to be considered during the formal investigation of your complaint.

### **Timeframe for submitting a Stage 2 Complaint**

Please submit your Stage 2 complaint **within 21 calendar days** of the conclusion of your Stage 1 Complaint, and (where possible) **within 3 months** of the incident about which you are complaining. **If you do not submit your Stage 2 complaint within these timeframes, you will need to provide a valid reason with supporting evidence to explain why you were unable to submit your complaint earlier.**

### **Evidence to submit**

Evidence you may want to be considered during the formal investigation of your complaint could include, but is not limited to:

- Letters and email correspondence.
- Social Media correspondence.
- Receipts or invoices.
- Letters from a medical professional.
- Witness statements; o If you are unable to provide a statement but would like the University to contact your witnesses to request them to provide a statement directly, you will need to provide us their full name and contact details. Failure to do so may mean we are unable to obtain this evidence.

Where formal University documents such as procedures, policies, guidance, and handbooks form part of your evidence, you will need to state this on your Student Complaint Form and be clear about the specific sections of the documents which you consider are relevant to your complaint. The Student Complaints Officer will then be able to obtain the University documents and consider them along with the other evidence.

Where relevant and appropriate and in your legitimate interests, the Student Complaints Officer may access and/or obtain specific material/information related to your academic record and/or Disability Profile, including information about any reasonable adjustments you have in place for your studies. If you are not happy with this, please speak to the Student Complaints Officer.

### **Eligibility of a Stage 2 Complaint**

At Stage 2, the Student Complaints Officer will first consider the eligibility of your complaint. They will consider:

- Has your complaint been submitted within the relevant timeframes of the Student Complaints Procedure and, if not, have you provided an acceptable reason for this?
- Can the issues you are raising be considered under the Student Complaints Procedure?
- Should the issues you are raising be considered under a different University procedure?
- Have you provided any objective supporting evidence in relation to your complaint, or is the complaint based just on your own opinion / viewpoint / belief?
- Could your complaint be referred for mediation?
- Is the outcome you are requesting reasonable and achievable?

If your complaint is found to be <b>ineligible</b>	You will be issued with a <b>Completion of Procedures Letter (CoP)</b> . A Completion of Procedures Letter will confirm that you have completed the University's internal procedures and that there is no further avenue for you to pursue the complaint internally. You cannot usually submit a complaint to the Office of the Independent Adjudicator without a Completion of Procedures Letter.
If your complaint is found to be <b>eligible</b>	The Student Complaints Officer will <b>investigate</b> your complaint.

## Stage 2 Investigation

During the Stage 2 investigation, the Student Complaints Officer will gather information and documentation and consider:

- Your complaint as detailed on the Stage 2 Student Complaint form.
- The evidence you have provided.
- Evidence available to the University, which may include statements from staff members or other students; internal University correspondence such as emails; social media posts and messages; information from the University website or other University platforms.
- Formal documents such as University procedures, policies, guidance, and handbooks.
- Other relevant information.

As part of the investigation, the Student Complaints Officer may meet with you either in-person or virtually to discuss the complaint.

If your expectations appear to go beyond what the University can reasonably deliver, or what is in its power to deliver, the Student Complaints Officer will explain this to you as soon as possible in writing in order to manage your expectations about possible outcomes.

## Closing the stage 2 complaint

Following consideration of all the evidence available in relation to your complaint, the Student Complaints Officer will assess whether your complaint is justified and, if required, will recommend a remedy. **The Student Complaints Officer will produce a report based on**

**their investigations which outlines the process followed, the information gathered, the conclusions drawn and any recommendations.**

You should normally receive a copy of the Student Complaints Officer's report as the outcome of your Stage 2 Complaint **within 50 calendar days** of it being submitted, although sometimes the investigation may take longer than this. If this is the case, you will be notified as early as possible and will be advised of a new deadline.

**If you would also like a copy of the information and evidence considered by the Student Complaints Officer when making their decision, you can request this by writing to [student-complaints@brunel.ac.uk](mailto:student-complaints@brunel.ac.uk) within 14 days of receiving your outcome.**

### **Stage 3 – Formal Review**

If you are dissatisfied with the outcome of your Stage 2 Complaint, you are entitled to submit a request for a review by the Chief Operating Officer, or their nominee, at Stage 3 of the Student Complaints Procedure.

#### **How to submit a Stage 3 complaint for review**

To submit a Stage 3 Complaint, you should email [COOcomplaints@brunel.ac.uk](mailto:COOcomplaints@brunel.ac.uk) setting out:

- The grounds on which you are complaining;
- The reasons why you consider these to be relevant;
- Any new evidence you have provided, along with an explanation for why this evidence could not have been made available with your Stage 2 Complaint submission.

#### **Timeframe for submitting a Stage 3 Review**

A Stage 3 Complaint should be submitted **within 14 calendar days** of the outcome of your Stage 2 Complaint.

#### **Scope of Stage 3 Review**

A complaint must have been considered at the formal stage before it can be taken to the review stage. The review stage will not usually consider the issues afresh or involve a further investigation but will consider whether the Stage 2 Complaint was properly considered and whether the outcome was reasonable.

#### **Grounds for a Review**

A Stage 3 Complaint can only be submitted on one of the following four grounds:

1. That there is new evidence that could have made a difference to the outcome, and you have good reasons for not supplying this evidence earlier;
2. That the relevant procedures were not followed during the Stage 2 formal process and this has had a significant impact on the outcome;
3. That clear reasons about why the complaint was rejected at Stage 2 were not given;

4. That the Stage 2 outcome is unreasonable given the facts of the case.

### **The Stage 3 Review**

In conducting the Stage 3 Review, the Chief Operating Officer (or their nominee) may consider the following:

- Were the relevant procedures followed during the formal stage 2 investigation?
- Was your Stage 2 complaint outcome reasonable?
- Have you received clear reasons why your complaint was rejected at the formal stage 2 investigation?
- If new evidence has been provided, have you given valid reasons for not supplying this evidence earlier?
- Could the new evidence have made a difference to the outcome?

Where the Chief Operating Officer (or their nominee) considers that there is evidence to support the stated ground(s), they may overturn the decision of the Student Complaints Officer and, if necessary and proportionate, offer a new, different or additional outcome.

You should normally receive a response to your review request **within 21 calendar days** of submission. In some cases, the review may take longer than this. If this is the case, you will be notified as early as possible and will be advised of a new deadline.

### **Completion of Procedures**

Once your complaint has completed Stage 3 of the Student Complaints Procedure, you will be issued with a Completion of Procedures Letter. This will indicate that the internal procedures of the University with regards to your complaint have been completed, and will enable you to pursue your complaint further with the OIA should you be dissatisfied with the University's decision.

### **External Review**

Under the Higher Education Act 2004 the University subscribes to the [Office of the Independent Adjudicator for Higher Education](#) (OIA) to provide an independent scheme for the review of student complaints.

**If you are dissatisfied with the outcome of your complaint offered by the University, you may be able to apply for a review of your complaint with the Office of the Independent Adjudicator**, provided your complaint is eligible under its rules.

Information on how you can complain to the OIA, including eligibility criteria, can be found [here](#). **A student will normally need to have been issued with a Completion of Procedures Letter**, notifying them that the internal procedures of the University have been completed, before they can submit a complaint to the OIA.

Should a student decide to make a complaint to the OIA, it **must be submitted within 12 months of the date of their Completion of Procedures Letter**.

**If an apprentice remains dissatisfied following completion of the University's procedures, they have the right to raise their concern with the Education & Skills Funding Agency (ESFA).** Complaints to the ESFA should be submitted within 12 months of the Stage 3 outcome letter issued by the University. For further details please see <https://www.gov.uk/government/organisations/education-and-skills-fundingagency/about/complaints-procedure>